

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

\* \* \* \* \*  
SHANA L. KENNEDY, \*  
\*  
Plaintiff, \*  
\*  
vs. \* Civil Action No.:  
\* 7:08CV579  
\*  
VIRGINIA POLYTECHNIC \*  
INSTITUTE & STATE UNIVERSITY, \*  
\*  
Defendant. \*  
\* \* \* \* \*

VIDEOGRAPHIC DEPOSITION

DEPONENT: SHANA L. KENNEDY  
DATE: OCTOBER 19, 2009  
TIME: 9:08 A.M. - 5:46 P.M.  
LOCATION: 15 FRANKLIN ROAD, SW  
SUITE 7  
ROANOKE, VIRGINIA  
REPORTED BY: CYNTHIA N. STILES  
CERTIFIED COURT REPORTER  
NOTARY PUBLIC IN AND FOR THE  
STATE OF VIRGINIA AT LARGE

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ORIGINAL**

**EXHIBIT A**

1           A.       I didn't look into it, at that point. I was  
2       pleased with my salary.

3           Q.       I'm asking you here today, though, in October  
4       2009, looking back, is it your contention that you were  
5       underpaid, while working as an assistant director of  
6       development in the arts at Virginia Tech?

7           A.       No.

8           Q.       When then were you underpaid, while you worked  
9       for Virginia Tech, in what position?

10          A.       I was underpaid in the College of Engineering,  
11       and I was told that I was not worth what the position that  
12       Field Glover held was worth because I was a woman and not  
13       the head of my household.

14          Q.       And that statement was with regard to your  
15       application for a regional fundraising position, correct?

16          A.       Correct.

17          Q.       So you are not making contention regarding a  
18       violation of the Equal Pay Act while you were working in  
19       the arts, is that correct?

20          A.       I am making contention under the Equal Pay Act,  
21       based upon all women's salaries. I -- The analysis was  
22       done when I moved to the College of Engineering. At the  
23       time that I worked for the arts, I did not believe I was  
24       being discriminated against. But I believe women, other  
25       women during the time that I was working for the arts were

1 being discriminated against.

2 Q. Okay, but let's, let's focus in on you. In  
3 regard to you, Shana Kennedy, are you claiming a violation  
4 of the Equal Pay Act for you, Shana Kennedy, while you were  
5 working as an assistant director of development for the  
6 arts?

7 A. Um, no.

8 Q. Okay. When was the first time you applied for  
9 a job in any other department at Virginia Tech?

10 A. Other than the arts?

11 Q. I'm sorry, let me ask my question in a better  
12 way. Lawyers do that.

13 While you were working in the arts at Virginia  
14 Tech, when did you first apply for another position within  
15 Virginia Tech?

16 A. Um, close to my one year anniversary, I applied  
17 for the regional position.

18 Q. So sometime --

19 A. That was the only position that I applied for.  
20 At that time.

21 Q. Okay. And you told us earlier that was to  
22 broaden your resume?

23 A. Yes.

24 Q. How did you think a regional fundraising  
25 positive would broaden your resume?

1 VIDEOGRAPHER: Off record at 5:16 p.m.

2 (An off-the-record discussion occurred.)

3 BY MS. NASH:

4 Q. Miss Kennedy, we took a short break, and now  
5 we're back, and I think we are nearing the end of your  
6 deposition. A few more questions.

7 You testified earlier that the discrimination  
8 against you at Virginia Tech began when you applied for a  
9 job in the College of Engineering, correct?

10 A. It began when I applied for the position of  
11 regional director.

12 Q. So you believe that discrimination against you  
13 at Virginia Tech began when you applied for a job for  
14 regional director?

15 A. Yes.

16 Q. Do you think the discrimination against you was  
17 intentional?

18 MR. WOODFIELD: Objection, calls for  
19 speculation.

20 BY MS. NASH:

21 Q. In your lawsuit, you allege that Virginia Tech  
22 willfully discriminated. What evidence do you have that  
23 Virginia Tech willfully discriminated against you?

24 A. That after the comments, the discriminating  
25 comments were made to me by Bob Bailey, when I reported